(c) what steps are being taken by Government to supply adequate Dak materials to meet the demand of these Post Offices?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI P. V. RANGAYYA NAIDU) (a) and (b) Occasional shortage of dak material due to non receipt from Stamps Depot have come to notice.
(c) The supply was arranged by diversion from other offices.

Opening of Post Offices and Branch Post Offices at Darjeeling in West Bengal

3384. SHRI RATNA BAHADUR RAI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) what are the names and locations of post offices and branch post offices that are there under the three hill sub-divisions of Darjeeling district; and

(b) what are the details of post offices and branch post offices proposed to be opened during the Eighth Five Year Plan period in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI P. V. RANGAYYA NAIDU): (a) The names and locations of Post Offices and Branch Post Offices that are under the three hill sub-divisions of Darjeeling district are being ascertained and shall be laid on the Table of the House.

(b) While it is proposed to expand the postal network during the Eighth Five Year Plan period, it is not feasible to give the details of post offices and branch post offices proposed to be opened during this period in the three hill sub-divisions of Darjeeling district as the Eighth Five Year Plan has not been finalised.

Mobile Telephone Facility at the State Level

3385. SHRI JAGADISH JANI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have any proposal under consideration to provide mobile telephone facilities at the State level also;

(b) whether such facilities are proposed to be provided at the districts which are industrially advanced; and

(c) if so, what steps have been taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI P. V. RANGAYYA NAIDU): (a) to (c) No, Sir. Tenders for franchising cellular mobile telephone service have been invited from Indian Companies for only four areas covering Bombay, Calcutta, Delhi and Madras.

संगम विहार, नई दिल्ली में डाक-वितरण डाकघर का खोला जाना

3386. **श्री चतुरानन मिश्र**: क्या **संचार मंत्री** यह बताने की कृपा करेंगे कि:

(क) क्या संगम विहार, नई दिल्ली में एक डाक-वितरण डाकघर खोलने संबंधी कोई प्रस्ताव सरकार के विचाराधीन है, और

(ख) यदि हां, तो इसे कब तक खोले जाने की संभावना है?

संचार मंत्रालय में उप मंत्री (श्री पी० वी० रंगैया नायडू): (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

Norms for Transfer of Telephones

3387. SHRI ASHOK NATH VERMA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) What are the criteria laid down by MTNL, Delhi for transfer of telephones in the Union Territory of Delhi;

(b) whether MTNL proposes to liberalise the terms for transfer of telephones from one subscriber to another needy subscriber so as to stop malpractices of middlemen and brokers;

and

(c) if so, what are the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI P. V. RANGAYYA NAIDU): (a) The criteria laid down for transfer of telephones applicable throughout the country including MTNL Delhi are as per Statement-I *(See below)*

(b) and (c) The conditions laid for transfer of telephones from one subscriber to another subscriber, were liberlised during july 1986. The details in this regard are indicated in Statement-II.

Statement-I

RULES FOR TRANSFER OF TELEPHONES

A. **Telephone taken in the personal name of an individual**

A.1. **On the death of the hirer:** The telephone provided under any category shall be transferred as provided below:—

A.1.1. **The deceased has left a will:**

If the property is bequeathed to one person the telephone may be transferred to that person. If the property is bequeathed to more than one person, the telephone may be transferred to that person whose name is mentioned in the will for that specific purpose. If there is no such person mentioned in the will, the telephone may be transferred to any one of the beneficiaries in whose favour consent is given by the other beneficiaries.

A.1.2. **In the absence of a will:**

The telephone may be transferred to the widow/widower of the deceased. In case of more than one widow, telephone may be transferred to one of them by matual consent.

In case the **widow/widower** is not alive or does not wish to retain the telephone the telephone may be transferred to one of the children residing at the station by mutual concent.

If there is no widow/widower and there are also no children, the telephone may be transferred to the legal successors the telephone may be transferred to the one of them by mutual consent of all the successors.

A.2. **During the life-time of the hirer:**

During the life-time of the hirer, the transfer of telephone may be permitted to the near relatives, viz. father, mother, wife, husband, son or daughter, brother and sister including step brother and step sister, but not cousin, irrespective of the category under which the connection was originally obained provided the period for which the connection has actually worked for the original hirer is not less than one year and provided also that if the telephone was sanctioned under any priority or special category, the original hirer shall not be given any new telephone connection under that particular category within 5 years of the date of transfer.

A.3 **On the change of the name of the hirer:**

The transfer of telephone may be permitted where the name of a female subscriber has changed due to marriage or where an individual subscriber changes his name in accordance with the procedure prescribed for the purpose.

B. Telephones of firm, company, organisation, institution excluding Government Departments, Government Institutions, Public Undertakings and Autonomous Organisations.

B.1 **On the change of name and/or constitution:**

Transfer of telephone may be permitted in the event of change of name and/or constitution of a company due to statutory obligations or otherwise. This will cover the following types of cases:—

(1) Proprietorship concern becoming a partnership concern with the original proprietor as one of the partners or a partnership concern becoming a proprietorship concern the proprietor being one of the old partners. Once a transfer from a proprietory concern 'A' to a partnership concern 'P' is permitted, another transfer from the partnership concern to a proprietory concern 'B' will be permissible only after 5 years of the first transfer.

(2) A partnership concern becoming a private limited concern with a minimum of 50% of the original partners retaining their interest in the concern.

(3) A private limited concern

becoming a public limited concern with a minimum of 50% of the original shareholders retaining their interest.

(4) A partnership concern adding or deleting partners.

(5) Amalgamation of two registered companies.

(6) Take-over of a registered company by Government or by another registered company.

(7) Sale or dissolution of a firm

If a firm is sold to another party and the sale proceeds are not less than Rs. 20,000, the telephone may be transferred to the new firm. In the case of dissolution of a partnership firm, transfer may be allowed to any one of the partners after a agreement is obtained from all partners of the dissolved firm.

(8) Transfer a telephone from a proprietory concern to the personal name of the sole proprietor and *vice versa* may be allowed.

B.2 **Transfer of a telephone from the employer to the employee may be allowed subject to the following conditions:—**

(a) the employer should be a limited company, Public or Private, and

(b) the employee should have been in the employment of the employer for at least 5 years prior to the date of the application for transfer.

B.3 **Transfer of a telephone from the name of a foreigner to the name of the institution where he has been working may be allowed after the foreigner leaves the country.**

C. **Telephones of Government Department, Government Institutions, Public Sector Undertakings and Autonomous Organisations.**

Transfer of telephone between Government Ministries/Departments etc, may be allowed without restriction. Within a Ministry/Department or office, etc. the telephone can be assigned to any employee without constituting a change of name provided the telephone is subscribed by the particular Ministry/ Department or office etc. Transfer of telephone from a Department etc. to an employee or vice-versa will, however, not ordinarily be allowed.

D. **Head of Telecom Circle or Telephone Districts will have full discretion to decide other bonafide cases of transfer not specifically covered by these rules.**

E. **General conditions governing all transfers:**

If the transfer is necessiated by a certain event, the application for transfer must be made within a period of one year from the occurrence of such event. However, the competent authority will have discretionary powers to decide such cases in relaxation of the limit of one year in individual cases on merit.

E.2 The transferee will undertake to pay all dues against the telephone, including any pending dues pertaining to the periods prior to the date of transfer.

E.3 In all bonafide cases of transfer, an amount of Rs. 100/- per connection will be charged.

E.4 All transfers will be carried out after receipt of application duly signed by both the transferer and the transferee, except in case of death of hirer when it will be signed by the transferee only. The application should be accompanied with certificates indemnifying the P&T Department against future claims and agreeing to pay all previous dues etc.

E.5 The competent authority to permit transfer under these rules will be the Divisional Engineer Telephone/ Telegraphs in telecom Circles and the Head of the District or an officer not below the rank of Divisional Engineer nominated by the Head of the District for the purpose in the case of Telephone District.

E.6 Once the telephone has been transferred under these Rules, no further transfer application will be entertained within a period of five years of the date of transfer except in cases covered by A.1, A.3, B.1(2) to B.1(7) and C above where the limit will not apply.

E.7 All transfers will be effected under these rules at the premises where the telephone exists. A shifting, if required by the transferee can be applied for only after the transfer has been effected in his name and the request shall be processed as per the rules applicable to shift cases.

Statement-II

Policy regarding third-party transfer of telephones

(i) Besides transfer of telephones under Rule 429(2) of Indian Telegraph Rules, 1951, a subscriber will be permitted to transfer his telephone to any person, firm or company after one year of installation of the telephone. telephones sanctioned under OYT-General and Non-OYT-General categories only will be permitted to be transferred to third-parties.

(ii) In case of third party transfer of a telephone which had initially beem sanctioned under the OYT scheme, the balance of advance deposit calculated in accordance with para 201(h) of P&T Manaul Volume XIV and in case of telephone sanctioned under Non OYT scheme, the security deposit, if any, shall be refunded to the transferer after deduction of outstanding dues. The transferee will, however, be liable to pay any old outstanding dues even after the transfer of telephone to him.

(iii) A non-refundable transfer fee of Rs. 500 will be charged from the transferee for the third-party transfer of telephone connection.

(iv) In addition to transfer fee mentioned in para (iii) above the transferee shall make payment to the Department of Telecommunications an amount equal to the amount of OYT deposit at that station which at present is as specified in the Table below:

	Capacity of Exchange system		
	Exceeding 10,000 lines	Exceeding 1000 lines but not exceeding 10,000 lines	Where total lines do not exceed 1000 lines
Amount	Rs. 8,000/-	Rs. 6,000/-	Rs. 5,0000/-

This amount would be treated as OYT deposit and the connection would be treated as a fresh OYT connection from the date the transfer is effected.

(v) In respect of cases detected by the Department of any third party use of telephone an option will be given to the party to transfer the telephone to the third party (user) under the above rules.

(vi) After the transfer of the telephone to the third party, any request for shift will be governed by the normal rules of shifting of telephones.

Silent Account in Postal Department

3388. DR. NARREDDY THULASI REDDY: Will the MINISTER OF FINANCE be pleased to state:

(a) what is the amount of money that is there in the Postal Department under 'silent accounts';

(b) whether there is any preposal under Government's consideration to use this silent account money for the development of the postal department and for the welfare of the postal employees;

(c) if so, what are the details thereof; and

(d) if not, wnat are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI DALBIR SINGH): (a) An amount of Rs. 101 crores is lying outstanding under Silent Account of Post office Savings Account at the close of 1990-91.

(b) No, Sir.